IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

WRIT PETITION NO : 16846 of 1993

Between:

The Management of Singareni Collieries Company Ltd., Rep.by its Chief General Manager (Project)
Belampalli Adilabad Dist.

..... PETITIONER

AND

1 Industrial Tribunal-I Chandra Vihar
M.J.Road Hyderabad.
2 Sri M.Jagan S/o.Veeramullu
Goleti Township Rebbana Post (Via) Belampalli
Adilabad Dist. Ex-Coalfiller,Goleti-n Incline.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ particularly one in the nature of writ of Certiorari after calling for the records from the first respondent in M.P.No.10 of 1988 in I.D.No.56 of 1984 and quash the order passed therein dated 19th June, 1993; and pass such other order or orders.

Counsel for the Petitioner:MR.K.SRINIVASAMURTHY

Counsel for the Respondent No 2.: MR.A.K.JAYAPRAKASH RAO

The Court made the following :

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ORDER:-

1. This Writ Petition is filed challenging the order passed by the 1st respondent-Industrial Tribunal, Hyderabad in M.P.No. 10 OF 1988 in I.D.No. 56 OF 1984 by the petitioner management. During pendency of I.D.No. 56 of 1984 the services of the second respondent was terminated and therefore he filed an application seeking approval of the action taken by the management. The learned Tribunal after considering the matter refused to grant permission and accordingly rejected the application by order dated 19th June, 1993. Against which, the present Writ Petition is filed.

2. It is now brought to the notice of this Court, the workmen has already reinstated into service. Now, the question that calls for consideration is whether the workman is entitled for full wages during the period of his unemployment. It is also brought on record that already 50% back wages were paid to the workman for the period for which he was out of employment.

3. In view of the same, I do not find any reason to consider the matter on merits.

4. The learned counsel for Workman also submits that in view of the reinstatement of the workman and the payment of 50% of back wages, he is also not pressing for the balance 50% of back wages.

5. Accordingly, the Writ Petition is closed. No order as to costs.

G.Bikshapathy, J.

29th July, 2004.

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 Industrial Tribunal-I Chandra Vihar
M.J.Road Hyderabad.

2. 2CD copies

*Form-NIC-OGS/WP{**TRR**}*

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

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WRIT PETITION NO : 16846 of 1993

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29th July, 2004.